

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

UNITED STATES OF AMERICA,)	
)	
v.)	Cause No. 2:06-CR-167
)	
ANTHONY CAPOZZOLI,)	
)	
Defendant.)	

ORDER AND OPINION

This matter is before the Court on Defendant Anthony Capozzoli's written letter requesting that the Court calculate and provide for him the total time credit he has earned on his prison sentence. [DE 75.] First, the Court will note that the Cause Number used by Capozzoli for this request, 2:06 CR 167, was actually one in which the indictment against him was dismissed. Capozzoli was sentenced to a term of 57 months incarceration with the Bureau of Prisons under Cause Number 2:07 CR 77. [DE 21.]

In response to Capozzoli's request, the Court can affirmatively say that his prison term was correctly calculated in the sentencing order. Beyond that, the Court cannot now determine the amount of time served by Mr. Capozzoli, or the amount of credit he is entitled to for home confinement. That is a task for the Bureau of Prisons itself. *See United States v. Wilson*, 503 U.S. 329, 335 (1992). If a prisoner wishes to challenge issues of law surrounding that determination, he may seek judicial action through a petition for writ of habeas corpus, but only after exhausting administrative remedies. *United States v. Jones*, 34 F.3d 495, 499 (7th Cir. 1994).

SO ORDERED.

ENTERED: May 6, 2008

s/ Philip P. Simon
PHILIP P. SIMON, JUDGE
UNITED STATES DISTRICT COURT